

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JIMMIE EARL STEPHENS,

Plaintiff,

v.

M. FELDER,

Defendant.

No. 2:24-cv-01713 DJC CSK P

ORDER

On September 14, 2024, the Court issued an order adopting the Findings and Recommendations of Magistrate Judge Chi Soo Kim and denied Plaintiff's Motion to Proceed In Forma Pauperis. (ECF No. 13.) The Court ordered Plaintiff to pay the filing fee in full. (*Id.*) Plaintiff has now filed a document in which Plaintiff seeks to alter or amend a judgment under Federal Rule of Civil Procedure 59(e).

"In general, there are four basic grounds upon which a Rule 59(e) motion may be granted: (1) if such motion is necessary to correct manifest errors of law or fact upon which the judgment rests; (2) if such motion is necessary to present newly discovered or previously unavailable evidence; (3) if such motion is necessary to prevent manifest injustice; or (4) if the amendment is justified by an intervening change in controlling law." *Allstate Ins. v. Herron*, 634 F.3d 1101, 1111 (9th Cir. 2011). Plaintiff has not identified any basis for the Court to alter judgment on these grounds. To the extent Plaintiff intended to seek reconsideration of the Court's order under

1 Federal Rule of Civil Procedure 60(b), Plaintiff has also not shown that reconsideration
2 of the Court's prior order is justified for the reasons described in that rule.

3 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion (ECF No. 14) is
4 DENIED. This matter is referred back to the Magistrate Judge for all further
5 proceedings.

6
7 IT IS SO ORDERED.

8 Dated: **October 28, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE